Application No.: 09/597,160 Docket No.: 21994-00007-US

REMARKS

The Office Action and prior art relied upon have been carefully considered.

In the Office Action claims 1, 2, 4-6 and 8 of the present invention are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakano (U.S. Patent No. 6,510,233) in view of Wakasu (U.S. Patent No. 6,453,053).

The Office Action argues that the electronic watermark detector 180, the buffer 170 and the electronic watermark burying unit 130 shown in FIG. 1 of Nakano is equivalent to "means for detecting a first electronic watermark signal from original contents data inputted", "means for temporarily storing the first electronic watermark signal detected by said detecting means" and "inserting means for recording a second electronic watermark signal" of the present invention respectively.

Applicant agrees that the electronic watermark detector 180 is equivalent to "means for detecting a first electronic watermark signal from original contents data inputted". However, the buffer 170 is used for storing output data of the discrete cosine transformation unit 120 and not for storing an electronic watermark signal itself. However, if the output data contains an electronic watermark signal, it may be defined in a broad sense that the buffer 170 stores an electronic watermark signal.

The electronic watermark burying unit 130 is not equivalent to "inserting means for recording a second electronic watermark signal" because the inventive concept disclosed by Nakano is completely different from that of the present invention as will be explained.

As is apparent from the ABSTRACT and the description in column 4, lines 45-48, Nakano provides the electronic watermark burying device that can bury the same electronic watermark data into an image only once, not duplicatively.

The electronic watermark burying unit 130 inserts electronic watermark data into data (column 6, lines 58-60).

The selector 190 selects the output data from the electronic watermark burying unit 130 when the electronic watermark detector 180 does not detect the output data from the discrete cosine transformation unit 120 and selects the output data from the buffer 170 when the electronic watermark detector 180 detects the output data from the discrete cosine transformation unit 120 (column 7, lines 27-32).

In other words, according to Nakano, output data are outputted as it is when the electronic watermark data 140 is originally contained in output data of the discrete cosine transformation unit 120. Output data is outputted by inserting the electronic watermark data 140 when the electronic watermark data 140 is not contained in output data of the discrete cosine transformation unit 120.

Accordingly, the electronic watermark insertion device of Nakano fails to output contents data, which is inserted with a second electronic watermark signal that is equivalent to a first electronic watermark signal after all. It is apparent that Nakano fails to disclose "outputting means" or the corresponding "outputting step" disclosed in the present invention.

The Office Action further argues on page 3 that Wakasu teaches that the first electronic watermark signal is intermittently recorded. However, this argument is not based on the disclosure of Wakasu.

The description "the first electronic watermark signal is intermittently recorded during every interval of a plurality of information units of the original contents data" is not disclosed in any part of column 8, lines 31-36 and lines 39-41.

Column 8, lines 46-53, describes that the electronic watermark data insertion element 107 includes a partial average calculator 108, a multiplier 110 for multiplying outputs of the electronic watermark data 106 and the partial average calculator 108 for individual factors. The individual factor is a block of 8X8 pixels (column 8, line 33 and line 67).

Consequently, the inventive concept of Wakasu is equivalent to inserting the electronic watermark data 106 into each block. However, Wakasu fails to disclose or teach that "a first

electronic watermark signal is intermittently recorded over a plurality of information units of the original contents data".

According to the present invention, a first electronic watermark signal is scattered in several frames of picture data (over a plurality of information units of the original contents data) (page 9, lines 17-18). Where only a part of the original contents data is extracted, the part of the original contents data contains only a part of the first electronic watermark signal. In this case, the first electronic watermark signal is never read out unless the plurality of information units is organized. In other words, it is substantially equivalent to where the first electronic watermark signal disappears from the original contents data (page 9, lines 25-27).

Consequently, the present invention discloses that a second electronic watermark signal, having contents that are equivalent to those of the first electronic watermark signal, is inserted into contents data (page 10, lines 11-14). Neither, Nakano nor Wakasu disclose this aspect of the present invention.

Applicant believes that none of the references: Nakano, Wakasu nor Yoshida et al., disclose or teach the above-mentioned inventive concepts of the present invention. Accordingly, claims 1-8 should be allowed.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 22-0185, under Order No. 21994-00007-US from which the undersigned is authorized to draw.

Dated: March 12, 2004

Respectfully submitted,

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